

R E M A R K S

This Amendment is submitted as a full and complete response to the Decision on Appeal mailed September 30, 2003 in Appeal No. 2002-0913 from the Board of Patent Appeals and Interferences. By this Amendment, applicant has now canceled Claims 9 through 40 without prejudice and has amended independent Claims 7 and 8. Accordingly, it is now believed that amended independent Claims 7 and 8 have been placed in condition for allowance.

At the outset, it is noted that Board of Appeals has affirmed the rejection of Claims 7, 8, 11-13, 15, 16, 18, 21, 23-26, 28, 31, 33-36 and 38 under 35 USC 102 as being anticipated by Foreman, U.S. Patent No. 4,816,025. Further, the Board of Appeals has affirmed the rejection of Claims 7, 12 and 32 under 35 USC 103 as being unpatentable over Foreman in view of Lindquist, U.S. Patent No. 3,572,342.

However, the Board of Appeals has reversed the rejection of Claims 7-40 under 35 USC 102 as being anticipated by or, in the alternative, under 35 USC 103 as obvious over McConnell, U.S. Patent No. 3,461,872. In addition, the Board of Appeals has issued, pursuant to 37 CFR §1.196(b), a new ground of rejection of Claims 14, 17,

19, 20, 22, 27, 29, 30, 32, 37, 39 and 40 under 35 USC 102 as being anticipated by Foreman.

In view of this, applicant has now cancelled Claims 9 through 40 and has amended independent Claim 7. Amended Claim 7 has incorporated the subject matter of canceled Claim 10. It is submitted that amended Claim 7 is clearly distinguishable over the prior art of record. Accordingly, it is believed that amended Claim 7 is now in condition for allowance.

Similarly, applicant has now amended independent Claim 8 so to incorporate the subject matter of canceled Claim 9. It is likewise submitted that amended Claim 8 is clearly distinguishable over the prior art of record. Thus, it is also believed that amended Claim 8 is in condition for allowance.

For the record, a Power of Attorney has been filed concurrently herewith so as to appoint the undersigned attorney in this case. Please kindly make this document of record in this file. Therefore, please direct all future correspondence in this application to the undersigned attorney at 16061 So. 94th Avenue, Orland Hills, IL 60477.

In view of the foregoing discussion and amendments advanced to the claims, it is now believed that amended independent Claims 7 and 8 have been placed in condition for allowance. Therefore, a formal Notice of Allowability is believed to be in order and the same is earnestly solicited.

In the event the Examiner is of the opinion that the prosecution of this application may be expedited by direct contact with applicant's attorney, he is requested to call Davis Chin at (708) 403-9688, Orland Hills, Illinois.

Respectfully submitted,

BY: 

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DC/d
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Attachment